

**STATE OF GEORGIA
COUNTY OF FULTON
CITY OF SOUTH FULTON**

ORDINANCE NO. 2017-006

**AN ORDINANCE TO ESTABLISH COLLECTION OF FRANCHISE FEES
APPLICABLE TO HOLDERS OF CABLE AND VIDEO FRANCHISES
ISSUED BY THE STATE OF GEORGIA**

WHEREAS, the City of South Fulton (“City”) is a municipal corporation duly organized and existing under the laws of the State of Georgia;

WHEREAS, pursuant to Act 421 of the 2016 session of the Georgia General Assembly (the “City Charter”), the City of South Fulton incorporated on May 1, 2017;

WHEREAS, pursuant to Section 7.16(b) of the City Charter, the City provided notice to Fulton County of its intent to collect any tax, fee, assessment, fine or forfeiture, and other monies;

WHEREAS, the City is authorized to collect a franchise fee of up to five percent (5%) of gross revenues, the maximum amount established by federal and state law, of each cable or video service provider’s gross revenues generated within the City, pursuant to franchises issued by the State of Georgia pursuant to the Consumer Choice for Television Act of 2007, O.C.G.A. § 36-76-1, *et seq.* (the “Act”);

WHEREAS, the City considers collecting a franchise fee from a cable or video provider utilizing the public rights of way as compensation to the public for the use of the rights of way and a means of promoting the public health, safety, welfare and economic development of the City and to protect public works infrastructure;

**THE COUNCIL OF THE CITY OF SOUTH FULTON HEREBY
ORDAINS** as follows:

1. The Mayor and City Council do hereby require a franchise fee of five percent (5%) of gross revenues for any cable or video state franchise issued within its corporate boundaries by the State of Georgia pursuant to the Act; and
2. The Mayor or the Mayor's designated representative is hereby authorized to take any and all actions required to be taken by the City pursuant to the provisions of the Act; and
3. The Mayor or the Mayor's designated representative is hereby authorized to collect and receive franchise fees pursuant to the provisions of the Act.

The foregoing Ordinance No. **2017-006** was offered by Councilmember Rowell, who moved its approval. The motion was seconded by Councilmember Willis, and being put to a vote, the result was as follows:

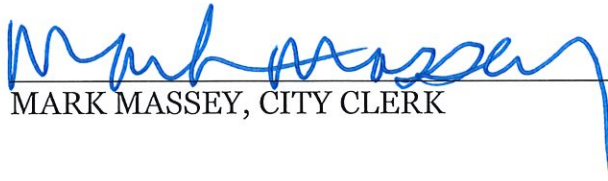
	AYE	NAY
William "Bill" Edwards, Mayor	_____	_____
Catherine Foster Rowell,	_____	_____
Mayor Pro Tem	_____	_____
Carmalitha Lizandra Gumbs	_____	_____
Helen Zenobia Willis	_____	_____
Gertrude Naeema Gilyard	_____	_____
Rosie Jackson	_____	_____
khalid kamau	_____	_____
Mark Baker	_____	_____

THIS ORDINANCE adopted this 20th day of June 2017. **CITY OF SOUTH
FULTON, GEORGIA**



WILLIAM "BILL" EDWARDS, MAYOR

ATTEST:



MARK MASSEY, CITY CLERK



APPROVED AS TO FORM:



JOSH BELINFANTE, INTERIM CITY ATTORNEY